

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

IN RE: EXPRESS SCRIPTS, INC.)	Case No. 4:04CV1009-SNL
SECURITIES LITIGATION,)	Class Action

ORDER

On August 25, 2005, pursuant to agreement of the parties, a case-management order was issued with deadlines for filing motions to dismiss to the amended complaint and opposition and replies.

In the examination of the file of some of the cases which were consolidated in this class-action matter, the Court notes that various dispositive motions were pending. For illustration, in the case of Manziona v. Toan, et al., Docket No. 23 shows a motion to dismiss filed march 31,2005.

Without belaboring the file, in all of the consolidated cases, it would appear that there are existing motions to dismiss in some or all of those cases.

As there is a new consolidated complaint and new motions to dismiss, it would appear that all existing motions to dismiss in each of the consolidated cases filed before August 25, 2005 which was the date of the new case management order be administratively dismissed subject to being refiled should future action so require.

IT IS THEREFORE ORDERED that counsel shall show cause on or before *March 1, 2006* why all existing dispositive motions filed before August 25, 2005 in any of the consolidated cases not be dismissed administratively subject to being refiled at a later date should the occasion demand.

Dated this 21st day of February, 2006.



SENIOR UNITED STATES DISTRICT JUDGE